THE MYSORE LEGISLATURE SALARIES ACT, 1956

ARRANGEMENT OF SECTIONS

Sections :

1. Short title and commencement.

2. Definitions.

3. Salaries and sumptuary allowances of Chairman and Speaker.

4. Residences of Chairman and Speaker.

5. Conveyances of the Chairman and the Speaker.

6. Charges payable by the Chairman and the Speaker and the Government.

7. Travelling Allowances of the Chairman and the speaker on assuming or relinquishing office.

8. Travelling and other allowances of the Chairman, the Deputy Chairman, the Speaker and the Deputy Speaker on tours.

9. Medical Attendance.

10. Salaries of Deputy Chairman and Deputy Speaker.

10A. Salary, conveyance and conveyance allowance payable to the Deputy Chairman, Deputy Speaker or the person performing the duties of the Chairman or the Speaker.

11. Salary and Special allowance of members of the Legislative Assembly and the Legislative Council.

12. Travelling and daily allowances of, and medical facilities to members of the Legislative Assembly and the Legislative Council.

13. Minister, Deputy Minister, Chairman, Deputy Chairman, Speaker and Deputy Speaker not to draw salaries as members.

14. Saving.

15. Power to make Rules.

16. Repeal of Mysore Ordinance No. 3 of 1956 and savings.

MYSORE ACT No. 2 OF 1957.

(*First published in the* Mysore Gazette *on the Twenty-fourth Day of January* 1957).

THE MYSORE LEGISLATURE SALARIES ACT, 1956.

(As amended by Acts 17 of 1957, 27 of 1957, 12 of 1959, 10 of 1960, 8 of 1967, 18 of 1968 and 15 of 1969).

(*Received the assent of the Governor on the Fifteenth day of January* 1957).

AN ACT TO PROVIDE FOR THE SALARIES AND ALLOWANCES OF THE CHAIRMAN AND THE DEPUTY CHAIRMAN, THE SPEAKER AND THE DEPUTY SPEAKER AND THE MEMBERS OF THE LEGISLATIVE ASSEMBLY AND THE LEGISLATIVE COUNCIL.

WHEREAS it is expedient to provide for the salaries and allowances of the Chairman and the Deputy Chairman, the Speaker and the Deputy Speaker and the Members of the Legislative Assembly and the Legislative Council of the State of Mysore and certain other matters ;

BE it enacted by the Mysore State Legislature in the Seventh Year of the Republic of India as follows :—

1. *Short title and commencement.*—(1) This Act may be called the Mysore Legislature Salaries Act, 1956.

(2) It shall be deemed to have come into force on the first day of November 1956.

2. *Definitions.*—In this Act, unless the context otherwise requires—

(*a*) 'Chairman' means the Chairman of the Legislative Council [1][* * * *];

(*b*) 'Deputy Chairman' means the Deputy Chairman of the Legislative Council ;

(*c*) 'highest class' in relation to journeys by train includes air-conditioned accommodation available in the train ;

(*d*) 'prescribed' means prescribed by rules made under this Act ;

---

1. Certain words omitted by Act 18 of 1968.

(*e*) 'residence' includes staff quarters and buildings appurtenant thereto and the gardens thereof;

(*f*) 'Speaker' means the Speaker of the Legislative Assembly [1][* * *];

(*g*) 'Deputy Speaker' means the Deputy Speaker of the Legislative Assembly.

3. *Salaries and sumptuary allowances of Chairman and Speaker.*—(1) There shall be paid to the Chairman a salary of [2][one thousand and two hundred rupees] per mensem and a sumptuary allowance of [3][three thousand and five hundred rupees] per annum.

(2) There shall be paid to the Speaker a salary of [2][one thousand and two hundred rupees] per mensem and a sumptuary allowance of [3][six thousand and five hundred rupees] per annum.

4. *Residences of Chairman and Speaker.*—(1) The Chairman and the Speaker each shall be entitled without payment of rent to the use of a furnished residence in the City of Bangalore throughout his term of office and for a period of fifteen days immediately thereafter, or, in lieu of such furnished residence, to a house rent allowance at the rate of [2][three hundred and fifty] rupees per mensem. The furnishing of the residence provided under this sub-section shall be on such scales as may be prescribed.

(2) In a residence used by the Chairman or the Speaker, who is entitled to a house rent allowance in lieu of furnished residence, three rooms shall be furnished by the State Government on such scales as may be prescribed, to be used for official purposes.

5. *Conveyances of the Chairman and the Speaker.*—(1) The State Government may provide a suitable motor car each for the use of the Chairman and the Speaker.

(2) There shall be paid to the Chairman and the Speaker each a conveyance allowance at the rate of [2][three hundred and fifty] rupees per mensem.

6. *Charges payable by the Chairman and the Speaker and the Government.*—(1) The Chairman and the Speaker shall, in respect of their respective residences and the motor cars allotted for

---

1. Certain words omitted by Act 18 of 1968.
2. Substituted by Act 8 of 1967.
3. Substituted by Act 18 of 1968 with effect from 1st April 1967.

their use under sub-section (1) of section 4 and section 5, be liable to pay the following charges, namely :—

(*a*) cost of petrol and oil required for their respective motor cars ; and

(*b*) when the monthly charges for the consumption of electricity in the residence exceed [1][seventy-five] rupees in any month, the charges in excess of such sum.

(2) All other charges for the maintenance and upkeep of the residence provided under sub-section (1) of section 4 and the motor car provided under section 5 including the cost of repairs thereof, the salaries and allowances of the drivers and cleaners of such motor cars, rates and taxes, and all expenditure for the layout and the maintenance of the gardens included in such residences, shall be borne by the State Government.

7. *Travelling Allowances of the Chairman and the Speaker on assuming or relinquishing office.*—The Chairman and the Speaker shall—

(*a*) for the journey in respect of assuming office, to the City of Bangalore, from his usual place of residence in the State, if it is outside the City, and

(*b*) for the journey in respect of relinquishing office, from the City of Bangalore to his usual place of residence in the State before he assumed office, if such place is outside the City,

be entitled to travelling allowance for himself and the members of his family and for the transport of his personal effects at the rates hereinafter specified, namely :—

(i) the actual charges incurred by the Chairman or the Speaker for himself and the members of his family, whether the journey is made by train or by road or both ;

(ii) the actual charges incurred for the transport of the personal effects whether by road or by rail ; provided that if a railway wagon is reserved for such transport, the charges for such wagon.

Explanation.—For the purpose of this section, member of the family means the husband, wife, son, daughter, father, mother brother or sister, if wholly dependent on and residing with the Chairman or the Speaker, as the case may be.

1. Substituted by Act 8 of 1967.

8. *Travelling and other allowances of the Chairman, the Deputy Chairman, the Speaker and the Deputy Speaker on tours.*—(1) The Chairman, the Deputy Chairman, the Speaker and the Deputy Speaker shall be entitled while touring on duty connected with their offices to travelling and daily or other allowances at the rates and upon the conditions specified in this section.

(2) [1][While touring inside India] the Chairman, the Deputy Chairman, the Speaker and the Deputy Speaker shall be entitled—

(*a*) for journeys by train to one and [2][half] times the single fare of the highest class available in the train;

Provided that if the Chairman or the Speaker reserves a compartment for the journey, the charges for such compartment shall be borne by the State Government:

Provided further that if any person in addition to the Speaker or the Chairman travels in the reserved compartment, the charges in respect of such person shall be recovered and credited to Government.

(*b*) for journeys by road, to road mileage at [2][forty paise per kilometre];

(*c*) for journeys by air, to one and one-fifth times the single fare paid for such journeys [3][and to the prescribed insurance premium for insurance against accidents during such journeys;]

(*d*) to daily allowance at rupees [4][twenty] per day for the days of journey and for the days of halt at any place:

Provided that in the case of tours outside the State, the daily allowance shall be at [2][forty] rupees per day for the days of journey and for the days of halt at any place:

Provided further that if the Chairman, the Deputy Chairman, the Speaker, or the Deputy Speaker is treated as a State Guest, he shall be entitled only to one-fourth of the daily allowance for the period for which he is treated as a State Guest.

[3](2A) When the Chairman or the Speaker while making a journey by road in a motor car provided by the State Government, has to undertake in the public interest further journey by train or by air, he shall be entitled to the petrol charges incurred by him for the return of the motor car to the City of Bangalore from the place at which he ceases to use the motor car.

---

1. Substituted by Act 12 of 1959.
2. Substituted by Act 8 of 1967.
3. Inserted by Act 18 of 1968 with retrospective effect.

(2B) The Chairman, the Deputy Chairman, the Speaker and the Deputy Speaker shall, in addition to the allowances payable under sub-section (2), be entitled to use without payment of charges, the motor cars maintained by the State Government at the Mysore Bhavan in New Delhi.;

[1][(3) While touring outside India, the Chairman or the Speaker shall be entitled—

(*a*) for journeys by air, train or sea [5][to one and one-fifth times the single fare] of the class by which he travels [2][and in respect of journeys by air, also to the prescribed insurance premium for insurance against accidents during such journey ;

(*b*) to daily allowance at [5][one hundred rupees per day for the days of journey and for the days of half at any place :

Provided that the State Government may, in special circumstances, authorise by order payment of daily allowance at such rate not exceeding [5][one hundred and fifty rupees per day as may be specified in the order.]

9. *Medical Attendance.*—Subject to rules made by the State Government, the Chairman and the Speaker and the members of the family of the Chairman or the Speaker, as the case may be, who are residing with and are dependent on him, shall be entitled free of charge to accommodation in hospitals maintained by the State Government, and to medical attendance and treatment.

Explanation.—For the purpose of this section member of the family means the husband, wife, son, daughter, father, mother, brother or sister.

10. *Salaries of Deputy Chairman and Deputy Speaker.*—There shall be paid to the Deputy Chairman and to the Deputy Speaker each a salary of [3][eight hundred rupees] per mensem

[4][10A. *Salary, conveyance and conveyance allowance payable to the Deputy Chairman, Deputy Speaker or the person performing the duties of the Chairman or Speaker.*—(1) Notwithstanding

1. Inserted by Act 12 of 1959.
2. Substituted by Act 18 of 1968.
3. Substituted by Act 8 of 1967.
4. Inserted by Act 18 of 1968.
5. Substituted by Act 15 of 1969.

anything contained in this Act, while the office of the Chairman is vacant and the duties of the said office are performed by the Deputy Chairman or a member of the Legislative Council appointed under clause (1) of Article 184 of the Constitution, the Deputy Chairman or such member, shall, during the period he so performs such duties, be paid a salary of one thousand and two hundred rupees per mensem and provided with a suitable motor car and paid conveyance allowance in accordance with the provisions of sections 5 and 6 :

Provided that during the period aforesaid, the Deputy Chairman or the member shall not be entitled to the salary and special allowance under section 10 or section 11, as the case may be.

(2) Notwithstanding anything contained in this Act, while the office of the Speaker is vacant and the duties of the office are performed by the Deputy Speaker or a member of the Legislative Assembly appointed under clause (1) of Article 180 of the Constitution, the Deputy Speaker or such member shall, during the period he so performs such duties, be paid salary of one thousand and two hundred rupees per mensem and provided with a suitable motor car and paid conveyance allowance in accordance with the provisions of sections 5 and 6 :

Provided that during the period aforesaid, the Deputy Speaker or the member shall not be entitled to the salary and special allowance under section 10 or section 11, as the case may be."

11. [1][*Salary and special allowance*] *of members of the Legislative Assembly and the Legislative Council.*—[2][(1)] There shall be paid to every member of the Legislative Assembly or of the Legislative Council a salary of [3][two] hundred and fifty rupees per mensem [4][and a special allowance of [3][one hundred and fifty rupees] per mensem] which shall accrue to him from the day on which he is declared duly elected, or, in the case of a member nominated by the Governor to fill a seat in the Legislative Assembly or the Legislative Council, from the date on which he is so nominated, or, if such declaration or nomination is made before the vacancy occurs, from the date of occurrence of the vacancy :

Provided that the salary [4][and special allowance] shall not be paid until the member has made and subscribed the oath or affirmation referred to in Article 188 of the Constitution of India.

1. Substituted by Act 10 of 1960.
2. Numbered by Act 8 of 1967.
3. Substituted by Act 8 of 1967.
4. Inserted by Act 10 of 1960.

Provided further that—

(i) in the case of a member of a new Legislative Assembly constituted after a general election, the salary [1][and special allowance] shall be paid only from the date of commencement of the duration of that Assembly or if the old Legislative Assembly has been dissolved before the aforesaid date, then from the date of such dissolution ; and

(ii) in the case of a member of the Legislative Council, the salary [1][and special allowance] shall be paid only from the date on which his term of office as a member of the said Council commences.]

[2]Provided also that where a person who is already a member of the Legislative Assembly or of the Legislative Council, is elected or nominated as a member of the Legislative Council or of the Legislative Assembly, he shall be paid salary and special allowance as a member of the Legislative Council or of the Legislative Assembly, as the case may be, only from the date on which he ceases to be a member of the Legislative Assembly or of the Legislative Council, as the case may be.

[3](2) Any member entitled to any salary or special allowance under sub-section (1) may relinquish the whole or any portion thereof at any time by intimating in writing to the Speaker in the case of a member of the Legislative Assembly and to the Chairman in the case of a member of the Legislative Council ;

Provided that any relinquishment made by a member in respect of any salary or special allowance may be cancelled by him at any time with prospective effect by writing to the Speaker or Chairman accordingly.

12. *Travelling and daily allowances of, and medical facilities to, members of the Legislative Assembly and the Legislative Council.*—Subject to such conditions as may be determined by rules made under this Act,—

(*a*) there shall be paid to the members of the Legislative Assembly and of the Legislative Council, not ordinarily resident within prescribed distances from the place at which their attendance is required in connection with the meetings, travelling allowance for

1. Inserted by Act 10 of 1960.
2. Added by Act 10 of 1960.
3. Inserted by Act 8 of 1967.

journeys by train at the rate of [2][one and half times the single first class fare (irrespective of the class by which the member actually travels) and for journeys by road at forty paise per kilometre]

[3][and such members shall also be provided with fully furnished accommodation, without payment of rent, at the place at which their attendance is required.]

[4][(*b*) there shall be paid—

(i) to all members daily allowance for attending the meetings and for the prescribed number of days of holidays, intervals or absence between meetings at the rate of [2][twenty-five] rupees per diem ;

(ii) to all members entitled to travelling allowance under clause (*a*) daily allowance for the day before and the day after the day of the meetings, and when a meeting extends for more than one day, for the day before the day of commencement of the meetings and for the day after the day of conclusion of the meetings ;]

[2][(*c*) every member shall be entitled free of charge to such accommodation in hospitals and dispensaries maintained by the State Government and to such medical attendance and treatment as may be prescribed ;

(*cc*) every member shall be provided with one free non-transferable pass which shall entitle him at any time to travel by road transport services of the Mysore State Road Transport Coroporation in any part of the State of Mysore in which those services operate in such class of accommodation therein as may be prescribed.]

[4][(*d*) members entitled to travelling allowance under clause (*a*) may, during the days of halt in the City of Bangalore, other than during the period when their attendance is required in connection with the meetings, be provided with fully furnished accommodation on payment of [2][such rent as may be prescribed.]

[1][(*dd*) members may during the days of halt in New Delhi be provided with accommodation in the Mysore Bhavan on payment of such rates of rent as the State Government may, from time to time, by order, specify ;

---

2. Substituted by Act 8 of 1967.
3. Added by Act 27 of 1957.
4. Substituted by Act 27 of 1957.

(*e*) there shall be paid to the members required to tour in connection with their duties as members, travelling allowance for journeys at the rates specified in clause (*a*), and daily allowance at rupees [2][fifteen] per diem for the days of halt at any place.

[3][(*f*) there shall be paid to a member who is the Chairman of any Committee of the Legislative Assembly or of the Legislative Council or of both in respect of journeys outside the State in India in connection with their duties as Chairman of the Committee, travelling allowance for journeys by train and journeys by road at the rates specified in clause (*a*) and for journeys by air at the rate of one and one-fifth times the single air fare paid for such journeys; and [4][daily allowance at rupees twenty-five per diem and such insurance premium as may be prescribed for insurance against accidents during journeys by air]:

Provided that where one-fifth of the single air fare payable under this clause exceeds rupees thirty, the amount so payable shall be limited to rupees thirty.

Explanation.—For the purpose of this section, 'meeting' means a meeting of the Legislative Assembly or the Legislative Council or any committee of the said Assembly or Council or of both.

13. *Minister, Deputy Minister, Chairman, Deputy Chairman, Speaker and Deputy Speaker not to draw salaries as members.*—(1) A Minister, a Deputy Minister, the Chairman or the Speaker, shall not, while he draws the salary and allowance for his office, be entitled to any salary or allowance as a member of the Legislative Assembly or of the Legislative Council, as the case may be.

(2) The Chairman or the Speaker shall not during the tenure of his office practise any profession or engage in any trade or undertake for remuneration, any employment other than his duties as Chairman or Speaker, as the case may be.

(3) The Deputy Chairman or the Deputy Speaker shall not, while he draws salary for his office, be entitled to any salary as a member of the Legislative Assembly or of the Legislative Council, as the case may be.

---

1. Inserted by Act 18 of 1968.
2. Substituted by Act 8 of 1967.
3. Added by Act 8 of 1967.
4. Substituted by Act 18 of 1968.

14. *Saving.*—Nothing in this Act shall prevent a retired Government servant from drawing his pension in addition to any salary or allowances to which he may be entitled under this Act.

15. *Power to make rules.*—(1) The State Government may, by notification in the *Mysore Gazette*, make rules for carrying out the purposes of this Act.

[1][(1-A) Any rule under this Act may be made to have effect retrospectively, and if any such rule is made, a statement specifying the reasons for making such a rule shall be laid before both Houses of the State Legislature along with the rule under sub-section (2).

(2) Every rule made under this section shall be laid as soon as may be, after it is made, before each House of the State Legislature, while it is in session for a total period of thirty days, which may be comprised in one session or in two successive sessions, and if before the expiry of the session in which it is so laid or the sessions immediately following, both Houses agree in making any modifications in the rule, or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect as the case may be; so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

16. *Repeal of Mysore Ordinance No. 3 of 1956 and savings.*—The Mysore Legislature Salaries Ordinance, 1956, is hereby repealed; but any rules made, anything done and any action taken under the said Ordinance shall be deemed to have been made, done, or taken under this Act, as if this Act had come into force on the first day of November 1956 and all rules made under the said Ordinance shall be laid, as soon as may be, after the passing of this Act, before each House of the State Legislature while it is in session for a total period of one month which may be comprised in one session or in two or more sessions and if, before the expiry of the said period, either House of the State Legislature makes any modification in the rules or directs that any rule shall not have effect and, if the modification or direction is agreed to by the other House, the rules shall thereafter have effect only in such modified form or be of no effect, as the case may be.

1. Inserted by Act 18 of 1968.